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|-----|--|------------------------------|
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| 6 | Attorneys for Yerba Buena Engineering & | |
| 7 | Construction, Inc. and Travelers Casualty and | |
| + | Surety Company of America | |
| 8 | | |
| 9 | UNITED STATES DISTRICT COURT | |
| 10 | NORTHERN DISTRICT OF CALIFORNA | |
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| 12 | UNITED STATES OF AMERICA, FOR THE USE OF AAA RESTAURANT FIRE | No. CV 07 5912 WDB |
| 13 | CONTROL, INC., DOING BUSINESS AS | STIPULATION AND [PROPOSED] |
| | AAA FIRE PROTECTION SERVICES; | ORDER TO DISMISS ACTION WITH |
| 14 | AND AAA RESTAURANT FIRE | PREJUDICE |
| 15 | CONTROL, INC., | |
| 16 | Plaintiffs, | |
| 17 | | • |
| 17 | v. | |
| 18 | YERBA BUENA ENGINEERING & | |
| 19 | CONSTRUCTION, INC., a California | |
| 20 | corporation; TRAVELERS CASUALTY | |
| 20 | AND SURETY COMPANY OF AMERICA, a Connecticut corporation, and) | |
| 21 | DOES 1 TO 100 inclusive, | |
| 22 | | |
| 23 | Defendants. | |
| | .) | · |
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| 25 | 1 000 000 15 0000 | 4 . 1 1 |
| 26 | 1. On or about February 15, 2009, the parties reached a settlement in this matter. | |
| 2.7 | 2. The settlement documents have been executed. | |
| 27 | 3. The settlement funds have been | exchanged. |
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1 Therefore, pursuant to Federal Rule of Civil Procedure Rule 41(a)(1), the parties stipulate 2 as set forth below: 3 1) That this action be dismissed in its entirety, with prejudice; 4 2) All parties' to bear their own attorneys' fees and costs. 5 6 Respectfully submitted, 7 8 Date: February 15, 2008 McInerney & Dillon, PC 9 10 11 Neil H. Bui 12 Attorneys for Yerba Buena Engineering & Construction, Inc. and Travelers Casualty and Surety Company of 13 America 14 Date: February 15 Lawrence E. Smith 16 Attorney for United States of America and AAA 17 Restaurant Fire Control, Inc. 18 19 20 **ORDER** 21 PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS 22 the action is dismissed with prejudice. 23 Date: 5/27/2009 24 SO ORDEREI Honorab 25 UNITE 26 27 28 STIPULATION/PROPOSED ORDER TO DISMISS ACTION

RDERED,